

COMMONWEALTH OF KENTUCKY
OWEN COUNTY

ORDINANCE # 214

**AN ORDINANCE ESTABLISHING FEE-POOLING AND A PURCHASE ORDER
SYSTEM FOR THE OFFICE OF THE OWEN COUNTY SHERIFF BEGINNING JULY 1,
2017**

WHEREAS, Attorney General's Opinion 74-1 and Kentucky Revised Statutes 67.080 and 67.083, provide for the Fiscal Court to install fee-pooling; and,

WHEREAS, the Sheriff must turn over all excess fees at the beginning of each calendar year and utilize the state advancement thus causing cash flow problems for the Owen County Sheriff's Office; and,

WHEREAS, the budget for the Owen County Fiscal Court is dependent on the county's ad valorem taxes which normally are not due and payable until on or about October 1st of each year, which causes an extreme cash flow problem for the county for the time periods before and after the tax season; and,

WHEREAS, the Fiscal Court is endeavoring sound fiscal policy and to streamline the spending and accounting of county funds in an effort to more efficiently manage the services and operations for the citizens of Owen County; and,

WHEREAS, in an effort to maintain services and cash flow, the Fiscal Court is of the opinion that a fee pooling system and purchase order system would be the most economic and beneficial measure to maintain the fiscal soundness of the county; and,

WHEREAS, numerous items are budgeted by the Fiscal Court for the Owen County Sheriff's Office and are paid out of county funds although the Sheriff's Office holds his funds and only pays excess monies into the Fiscal Court for his contribution to the fiscal health of the county, it therefore, is deemed by the Fiscal Court that the fiscal health of the county would be better served if the monies were turned over to the Fiscal Court on a monthly basis; and,

WHEREAS, the Fiscal Court feels that it is good business practice to implement a purchase order system for the Owen County Sheriff's Office

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF OWEN COUNTY, COMMONWEALTH OF KENTUCKY, THAT THE FISCAL COURT OF OWEN COUNTY ENACTS THIS ORDINANCE WHICH SHALL BE KNOWN AND BE

CITED AS THE OWEN COUNTY FEE POOLING FOR THE OWEN COUNTY SHERIFF'S OFFICE ORINANCE

SECTION I - FEE POOLING SYSTEM

That from and after July 1, 2017:

1. All net income and net fees from the Owen County Sheriff's Office, shall be paid over to the Owen County Treasurer, such payments to be on a monthly basis and not later than the tenth (10th) day for each month for the net income and net fees collected in the preceding month; and,
2. "Net income" and "net fees" shall mean all income and all fees collected less only approved transmittals to governmental agencies and/or applicable refunds to customers; and,
3. The expenses and expenditures of the Owen County Sheriff's Office, shall be pre-approved and paid by the Owen County Treasurer in accordance with the Purchase Order System adopted by the Owen County Fiscal Court herein. Provided, however, the Sheriff shall certify to the Treasurer for payment each bi-weekly pay period, the names and hours of each employee of his office who worked during such pay period and the Treasurer shall pay such payrolls without necessity of any purchase order; and,
4. The Sheriff shall draw no checks upon the fee accounts other than the check to pay over the net income and net fees of the fee accounts to the County Treasurer; and,
5. That the ordinary bills of the Owen County Sheriff's Office shall not be paid until approved by the Fiscal Court; and,
6. No salaries or expenses of the Owen County Sheriff's Office or its employees shall be paid if the Sheriff is delinquent in the payment of one month's fee income. In the case of delinquencies, salaries and expenses shall only be paid at such time as the delinquencies have been corrected.

SECTION II - PURCHASE ORDER SYSTEM

Be it further Ordained, by the Fiscal Court of Owen County, Kentucky, that the Fiscal Court establishes a purchase order system to be used by the Owen County Sheriff's Office in accordance with Owen County Administrative Code, with the following conditions:

1. All bills shall be pre-approved by obtaining a purchase order requisition, which may be requested by any employee of the Sheriff's Office; and,
2. The person requesting the purchase order shall, on the purchase order requisitions form, indicate the item required, quantity and the expected cost; and,
3. The purchase order requisition must first have the approval of the Sheriff or in his absence, his Chief Deputy; and
4. Said purchase order requisition must have the second approval of the Deputy County Judge Executive or the County Treasurer with an indication that the item is a budgeted item with available funds, or is not a budgeted item; and,
5. All purchase order requisitions for items over two hundred dollars (\$200.00) must have a third approval of the Owen County Judge-Executive or his designee;
6. After obtaining all required approval signatures on the purchase order requisition, a purchase order number shall be issued by the Owen County Judge Executive's Office.

Section III: SEVERABILITY

All prior ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed. The provisions of this Ordinance are severable and if any provision or part thereof shall be held invalid or unconstitutional or inapplicable to any person or circumstance, such invalidity, unconstitutionality or inapplicability shall not affect or impair the remaining provisions of this Ordinance.

Section IV: Effectiveness

This Ordinance shall become effective on the first day of July, 2017.

Upon introduction and given first reading before the Owen County Fiscal Court on the 13th day of June 2017 and a motion having been made by Magistrate Spurgeon and seconded by Magistrate Bowling and following discussion the same was approved as the first reading.


Published in the Owen County News Herald on the 14th day of June, 2017.

Given second reading by the Owen County Fiscal Court at a duly convened meeting thereof held on the 27 day of June, 2017, upon motion of Magistrate Bowling that this Ordinance be passed adopted and approved and seconded by Magistrate Spurgeon with a roll call vote as follows:

District 1: Todd Spurgeon yes
District 2: Stuart Bowling yes
District 3: Teresa Davis NO
District 4: Travis Fitzgerald yes


WHEREUPON Ordinance 214 is declared adopted on its second reading this 27 day of June, 2017, and becoming effective on July 1, 2017.

Given final publication in the Owen County News Herald on the 5 day of July, 2017.



R. Casey Ellis
County Judge/Executive

ATTEST:



Laurel Stivers
Fiscal Court Clerk